



Report to the Auburn City Council

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| Action Item |
| Agenda Item No. 8 |
| City Manager's Approval |

To: Mayor and City Council Members
From: Wilfred Wong, Community Development Director
Date: April 11, 2011
Subject: Discussion and Reconsideration Relaxing Temporary Sign Regulations

The Issue

Should the City Council again direct the Community Development Department to temporarily relax the City of Auburn's sign regulations relating to temporary signs, or per Resolution No. 10-88 discontinue the relaxation of temporary sign regulations?

Conclusions and Recommendations

To assist the City Council, staff has provided options for consideration:

- A. Take no action. Resolution No. 10-88 remains and enforcement of temporary signage will continue.
- B. By Resolution, repeal Resolution No. 10-88 and provide the Community Development Director with authority to utilize prosecutorial discretion in the application of the temporary sign requirements of the City of Auburn (**Exhibit A**). Note this would bring back the same program the City initiated in March 23, 2009.

Background

Council Member Nesbitt requested this item be brought before the City Council for discussion and possible action.

On March 31, 2011 staff began mailing letters to businesses in Downtown and Old Town requesting removal of non-compliant banners and A-frame signs (**Attachment 1**). The letter explained that the City had temporarily relaxed the sign regulations in March 2009 and with the recommendation from both the Downtown and Old Town Business Associations, the City Council agreed that the program should be discontinued.

On July 12, 2010 the City Council adopted Resolution No. 10-88, which repealed Resolution No. 09-30 relaxing temporary signage regulations, and commenced enforcement of temporary signage.

On March 23, 2009 the City Council directed the Community Development Department, for a period of 1-year, to temporarily relax the City of Auburn sign regulations related to temporary signs within Downtown, Old Town and Highway 49 Business Districts.

For additional background information see **Attachments 2, 3 and 4** (Council Resolution No. 10-88, July 12, 2010 City Council minutes, and July 12, 2010 City Council staff report).

Analysis

Staff has provided two possible options for Council consideration:

- A. Take no action. Resolution No. 10-88 remains and enforcement of temporary signage will continue.
- B. Repeal Resolution No. 10-88 and bring back the same program the City initiated in March 23, 2009 (**Exhibit A**). If the Council takes this action staff recommends the Council include a time period to report back to the Council how the program is working and to determine whether the program should be extended.

Staff has provided the options above to assist with the discussion and acknowledge the Council's desire to assist businesses during difficult economic times. Council can modify the options.

Staff will note that eventually the Council and business organizations will need to come together to decide when to end the relaxation of temporary signage. Even in the best economic times businesses desire temporary signage due to their size and cost compared to permanent signage. Most businesses appreciate consistency and an even playing field. Eventually, the community will need to decide what is the appropriate balance between the aesthetics of permanent and temporary signage.

Alternatives Available; Implications of Alternatives

- 1. Take no action. Enforcement of temporary signage will continue.
- 2. Repeal Resolution No. 10-88 and bring back the same program the City initiated in March 23, 2009.
- 3. Provide further direction to staff.

Fiscal Impact

Staff time for enforcement.

Additional Information

Please see the following attachments for more details:

ATTACHMENTS –

- 1. March 31, 2011 staff letter to businesses informing them of their banners and A-frame signs.

2. City Council Resolution No. 10-88 repealing City Council Resolution No. 09-30 to relax temporary signage regulations and commencement of enforcement.
3. July 12, 2010 City Council minutes.
4. July 12, 2010 City Council staff report.

EXHIBITS –

- A. Resolution repealing Resolution No. 10-88 and bringing back the same program the City initiated in March 23, 2009.



ATTACHMENTS



CITY OF AUBURN

Community Development Department

1225 LINCOLN WAY • AUBURN, CA 95603 • PHONE (530) 823-4211 • FAX (530) 885-5508

March 31, 2011

RE: BANNERS AND A-FRAME SIGNS

Dear: Business Owner,

As you may know back in March 2009, the Auburn City Council approved a temporary relaxation of the City's sign regulations for the Downtown and Old Town Historic Districts. Specifically, banners and A-frame signs were permitted to be installed, for an extended period of time, under this program.

With recommendations from both the Downtown and Old Town Business Associations to enforce the City's sign regulations, the City Council agreed that the program should be discontinued.

The purpose of this correspondence is to inform you that you have a banner and/or an A-frame sign that does not comply with City's sign regulations. We encourage you to comply in a timely manner and remove the banner/A-frame by April 18, 2011. Your business is located in a historic district, which creates the unique Auburn identity and is the heart of Auburn. Also, with the upcoming Amgen Tour of California we have the opportunity to promote Auburn and your cooperation would be appreciated.

If you have any questions regarding this matter, please contact us at your earliest convenience. I can be reached at the Community Development Department at (530) 823-4211 ext. 103 or llowe@auburn.ca.gov.

I thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in black ink, which appears to read "Lance E. Lowe". The signature is fluid and cursive, written over the word "Sincerely,".

Lance E. Lowe, AICP
Associate Planner

cc: City Council
Planning Commission
Chamber of Commerce
Downtown and Old Town Business Associations
Amgen Tour Committee
City Manager

RESOLUTION NO. 10-88

RESOLUTION REPEALING RESOLUTION NO. 09-30 ADOPTED ON MARCH 23,
2009 TO RELAX TEMPORARY SIGNAGE REGULATIONS

THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn has recognized the difficulties that local merchants are having in the current economic climate;

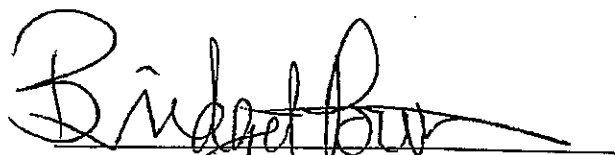
That a relaxation of the City's temporary sign standards in select areas of town has assisted local merchants; and

That the proliferation of temporary signage in Downtown, Old Town and Highway 49 has occurred in the past year and enforcement efforts should be implemented for the removal of such signage.

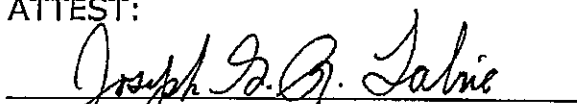
The City Council of the City of Auburn hereby repeals Resolution No. 09-30 adopted on March 23, 2009 to relax temporary signage regulations.

Enforcement of temporary signage shall not commence for a period of sixty (60) days from the date of adoption of this Resolution.

DATED: July 12, 2010

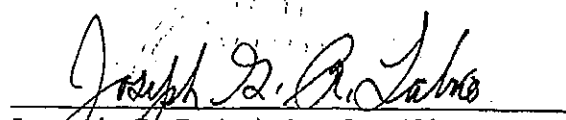

Bridget Powers, Mayor

ATTEST:


Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City of Auburn held on the 12th day of July, 2010 by the following vote on roll call:

Ayes: Holmes, Hanley, Kirby, Powers
Noes: Kirby
Absent:


Joseph G. R. Labrie, City Clerk

Council Member Hanley asked about inclusion of the impact of lingering smoke on the environment after a fire.

Conduct a Public Hearing and by **RESOLUTION 10-87**, approve the Local Hazard Mitigation Plan as developed by the Local Hazard Mitigation Planning Committee.

MOTION: Hanley/ Holmes/ Approved 5:0

REPORTS

13. City Council Committee Reports

Council Member Kirby reported on another successful Auburn Movie Night. He provided the dates and locations for all upcoming movie nights.

Council Member Hanley asked for an insertion into the minutes regarding a vote during the last meeting as follows:

"City Councilman Hanley informed the council and public regarding his vote on the street overlay program on June 28, that an email was sent by City Staff in the afternoon of June 28 informing him of a conflict given the proximity of his home and Foresthill Road. Hanley didn't see this email because he had left to attend a meeting of the Placer County Flood Control District and then to the City Council Meeting. Hanley only discovered the email the next day in the morning of June 29. Hanley informed the city attorney and staff upon discovery of the email immediately during the morning of June 29. Hanley would have abstained from the vote if he had known about the conflict of interest."

Council Member Hanley commended the Monticello neighborhood in Auburn for putting together a plan for a shaded fuel break in their neighborhood.

COUNCIL BUSINESS

14. Update Regarding Relaxing Temporary Sign Regulations

Community Development Director Will Wong presented this item.

Council Member questions followed regarding: (1) guidelines for signs, (2) signs currently out of compliance, (3) business associations' position, and (4) sign permit / design review.

Harvey Roper, business owner in Downtown Auburn, spoke on behalf of the Downtown Business Association.

Council Member comments followed: (1) current signage problems in business districts, (2) notice to business owners, (3) addressing individual violators, (4) political signage, and (5) 60-day grace period.

By **RESOLUTION 10-88**, discontinue request that the Community Development Director use his prosecutorial discretion in the application of temporary sign requirements beginning in 60 days.

MOTION: Hanley/ Holmes/ Approved 4:1 (Kirby voted no)

15. **Consideration of Adopting a City Charter**

City Attorney Michael Colantuono presented the item from a legal standpoint. He explained the process for becoming a charter city, and the pros and cons of becoming a charter city.

City Manager Robert Richardson presented the item from a policy perspective. He spoke about reorganizing the structure of the City and the direct effects on the services. He said he would recommend a series of workshops to consider new ways to run the city while providing maximum amount of services in light of available resources and then to look at a charter to see if it is a tool to implement the plan those workshops produce.

Council Member questions followed: (1) measures approved in charter cities vs. general law cities, (2) opportunity for challenges to the definition of what is a municipal affair, (3) prevailing wage on regional projects, and (4) small cities who adopted charter city status.

Dan Sokol, resident on Deerwood Place, spoke in favor of charter city status.

Samantha Draper, of Carpenters Local 46, spoke in opposition of adopting a charter just to avoid prevailing wage. She said she will advise the Council when the union has taken a position on the volunteer exemption from prevailing wage legislation.

Council Member comments followed: (1) further research on charter city status, (2) concerns about initiatives on charter cities, (3) cost savings, (4) public workshops, (5) measure service levels in organization, (6) advantages and greater service opportunities with charter, (7) advisory committee, and (8) strategic review.

By **MOTION**, direct staff to convene public workshops starting in January 2011 to measure service levels by department, measure costs for services, examine ways to increase service levels, and integrate a



Report to the Auburn City Council

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| Action Item |
| Agenda Item No. 157 |
| City Manager's Approval [Signature] |

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|-----------------|---|
| To: | Mayor and City Council Members |
| From: | Lance E. Lowe, AICP, Associate Planner [Signature] |
| Date: | July 12, 2010 |
| Subject: | Update Regarding Relaxing Temporary Sign Regulations. |

The Issue

Should the City Council direct the Community Development Department to discontinue the relaxation of temporary sign regulations?

Conclusions and Recommendations

Staff recommends that the City Council take the following action:

By Resolution, discontinue providing the Community Development Director with authority to utilize prosecutorial discretion in the application of the temporary sign requirements (**Exhibit A**).

Background

On March 23, 2009 the City Council directed the Community Development Department, for a period of 1-year, to temporarily relax the City of Auburn sign regulations related to temporary signs within Downtown, Old Town and Highway 49 Business Districts (**Attachments 1 & 2**).

The interim sign program established the Community Development Director as the approving authority for temporary signs in Downtown, Old Town and Highway 49. The term of the program was limited to 12-months from the Council's adoption of the program, commencing on March 23, 2009. As part of the program, staff was directed to come back to the City Council in 1-year to report how the program is working and to determine whether the program should be extended.

Recently, staff consulted with the Downtown, Old Town and Highway 49 Business Association Presidents to ascertain their respective Association's position and recommendation regarding continuation of the relaxation of the temporary sign regulations program. In correspondence received from both the Downtown and Old Town Business Associations, it is the Associations' position and recommendation that the City's relaxation of temporary sign provisions be discontinued and the City's temporary sign regulations be enforced; meaning that banners and other similar signage may only be permitted for a limited duration (i.e. 30 days for grand openings, etc.). The Highway 49 Business Association took no position on the issue (**Attachments 3 & 4**).

Staff has forwarded the July 12, 2010 staff report to the Chamber of Commerce, Old Town Business Association, Downtown Business Association and Highway 49 Business Association.

Project Description

City Council update regarding relaxing temporary sign regulations within Downtown, Old Town and Highway 49 Business Districts.

Since adoption of the interim temporary sign program, staff has witnessed additional banners and A-frame signs installed throughout town. However, with the exception of a few locations, the proliferation of signage has not occurred.

Considering the recommendations of the Downtown and Old Town Business Associations to discontinue the relaxation of temporary signs program, staff recommends that the City Council terminate the program thereby directing the Community Development Department to enforce the City's current temporary sign regulations.

For parity purposes, staff also recommends that the relaxation of the temporary sign regulations be discontinued on the Highway 49 area as well.

Should the City Council elect to terminate the relaxation of temporary signs program as recommended, staff will be forwarding a letter to the Chamber of Commerce, Downtown, Old Town and Highway 49 Business Associations informing them that the program has since been terminated and that enforcement of temporary signage (i.e. banners and A-Frame signs) will be occurring in the near future.

Staff recommends that upon notification, enforcement efforts would occur in the next 60 to 90 days.

Alternatives Available; Implications of Alternatives

1. Discontinue the Temporary Relaxation of Sign Standards for Downtown, Old Town and Highway 49.
2. Continue for a period of 1-year, the Temporary Relaxation of Sign Standards for Downtown, Old Town and Highway 49.
2. Provide further direction to staff.

Fiscal Impact

Initially, additional staff time will be needed for enforcement efforts to encourage business owners to remove any temporary signage; however, the additional staff time needed for enforcement is anticipated to be for a limited duration (i.e. 3 – 4 months).

Additional Information

Please see the following attachments for more details:

ATTACHMENTS –

1. City Council Staff Report dated March 23, 2009 with Attachment & Exhibits
2. City Council Excerpt Minutes dated March 23, 2009
3. Correspondence dated June 4, 2010 from Downtown Business Association President Jim Brill
4. Correspondence dated February 17, 2010 from Old Town Business Association President Kerry Arndt

EXHIBIT –

- A. Resolution Discontinuing the Relaxation of Temporary Sign Provisions



7/12/10

ATTACHMENTS



Report to the Auburn City Council

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| Action Item |
| Agenda Item No. 7 |

7/12/10

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| City Manager's Approval |
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To: Mayor and City Council Members
From: Reg Murray, Senior Planner
Date: March 23, 2009
Subject: Relaxing Temporary Sign Regulations

The Issue

Shall the City Council direct the Community Development Department to temporarily relax the City of Auburn's sign regulations relating to temporary signs?

Conclusions and Recommendations

The Auburn Planning Commission and the Auburn Historic Design Review Commission recommend that the Auburn City Council take the following action:

- A. By Resolution, provide the Community Development Director with authority to utilize prosecutorial discretion in the application of the temporary sign requirements of the City of Auburn, subject to the provisions listed in Exhibit A.

Background

On February 17, 2009, the Auburn Planning Commission and Auburn Historic Design Review Commission expressed interest in relaxing temporary sign provisions in the City and requested that staff develop provisions for their consideration. Staff developed temporary sign provisions and forwarded them to both commissions (Attachment 1). On Tuesday, March 3, 2009, as part of a joint hearing item, both Commissions reviewed the temporary sign provisions and voted to recommend that the City Council implement the program. The Commissions' recommendations are being forwarded to the City Council at this time for the Council's consideration (Exhibit A).

The proposed program establishes the Community Development Director as the approving authority for temporary signs. Applications for temporary signs will be required (for tracking purposes), however, it will be a "no fee" request. All applications will be reviewed by the CDD on a case-by-case basis. The term of the program is limited to 6-months from the Council's adoption of the program, at which time staff will come back to the Commissions and the City Council to report how the program is working and to determine whether it should be extended.

The recommended provisions from the Planning and Historic Design Review Commissions were forwarded to the Chamber of Commerce, the Old Town Business Association, the Downtown Business Association, and the Hwy 49 Business Association. Bruce Cosgrove with the Auburn

Chamber of Commerce contacted staff to indicate the Chamber's support of the program (see Attachment 2).

Alternatives Available; Implications of Alternatives

1. Take no action. The Community Development Department will continue to enforce temporary signs consistent with the requirements of the Auburn sign ordinance.
2. Direct staff to develop specific requirements and return to a subsequent City Council hearing.

Fiscal Impact

Staff time may be impacted to process the new temporary sign applications; however, a time savings could be realized through a potential reduction in the number of enforcement proceedings against temporary signs.

Additional Information

Attachments:

1. Joint Memo to Planning Commission & HDRC dated March 3, 2009
2. E-mail from the Chamber of Commerce supporting the program

Exhibit:

- A. Resolution for temporary sign provisions, including recommended provisions and maps illustrating areas of applicability

cd:/City Council/Reports/Temporary Sign Provisions.CCreport1



Memorandum

City of Auburn
Community Development Department

To: Auburn Planning Commission and Auburn Historic Design Review Commission
From: Reg Murray, Senior Planner
Date: March 3, 2009
Subject: Relaxing Temporary Sign Regulations

During its review of Commission priorities on February 17, 2009, the Historic Design Review Commission (HDRC) discussed sign issues affecting the Community, including temporary signs. Due to the current economic climate and its affect on local businesses, the Commission expressed interest in exploring ways in which the City could temporarily relax its regulations regarding temporary signs. Since this issue affects both the Old Town & Downtown areas, as well as other areas with the City, this item is being provided to both the Planning Commission and the HDRC for their joint consideration.

Current Provisions -

The City's sign ordinance currently limits temporary signs such as banners, balloons, and A-frame signs (Attachment 1). Per Section 159.196(C) banners for advertising are prohibited, though grand openings are allowed temporary banners for up to 30 days. Balloons are prohibited except for grand openings and car dealerships. A-frame signs are permitted for open house purposes, though A-frames for other purposes are subject to review and approval.

Issues -

Relaxing the City's standards for temporary signs raises a number of issues that the Planning Commission and the HDRC may wish to consider. The issues include:

1. **Quantity** – Does the Commission wish to limit the number of temporary signs that a business can have at any one time (i.e. no more than one temporary sign per tenant; or per side of a building)? Does the commission wish to limit the number of requests a business can make over a particular period of time?
2. **Type** – Does the Commission wish to put limitations on how many different types of temporary signs are present at any one time (i.e. can a business multiple types of temporary signs such as banners, A-frames, and balloons all at the same time)?
3. **Size** – Should the size of banners, A-frames, and/or balloons have any limitations?

4. **Duration** – Does the Commission wish to set time limits for how long a temporary sign can remain in place? If a time limit is set (e.g. a 3-month time frame) what would prevent a business from approaching the City for another permit after the expiration of the initial permit?
5. **Balloons** – Does the City wish to place any limits on the type of balloons allowed with the temporary relaxation of standards. Possible options to consider include regular (party-size) balloons, large inflatable devices (e.g. gorillas; ice cream cones; etc.), large air blown moving devices (e.g. large floppy moving figures); and the small airborne barrage balloons.
6. **A-frame signs** – The placement of A-frame signs will need to maintain ADA accessibility and obtain an encroachment permit if within the City right-of-way.
7. **Mobile signs** – Does the Commission wish to provide direction on mobile signs? These are signs that are attached to vehicles (typically trailers) and can move around town. They can be parked on-site or off-site and can include electronic messages. The Auburn Police Department has concerns regarding the use of electronic message boards. These message boards distract motorists and compete with safety message boards.
8. **Location** – Should the temporary sign provisions apply City-wide, or just to certain areas such as Old Town and/or Downtown?

Staff Recommendation -

Staff has the following recommends relative to temporary sign provisions:

- A. The tenant/property owner will be required to submit a temporary sign application to the Community Development Department for review and approval. No application fee will be collected by the City.
- B. Each application will be reviewed on a case-by-case basis to determine the appropriateness of the request, including, but not limited to, the location, size, and number of signs.
- C. Staff recommends implementing the temporary sign provisions for a period of six (6) months. At the end of that time frame, staff would review the status of the program with the HDRC, the Planning Commission, and City Council to determine if the term of the program should be extended.
- D. **Quantity** – Staff recommends that the number of signs be reviewed and approved by staff.
- E. **Type** – Staff recommends that staff review and approve the mix of signs associated with a proposal.
- F. **Size** - Staff recommends that staff review and approve the size of signs associated with a proposal.
- G. **Duration** – Staff recommends that staff review and approve the time frame that temporary signs are allowed to remain in place.

- H. **Balloons** – Staff recommends limiting the use of balloons to the typical “birthday” size balloons (i.e. maximum approximately 14” in diameter) and prohibiting the use of large inflatable rooftop balloons, barrage balloons, and moving balloons powered by air blowers.
- I. **A-frame signs** – A-frame signs would be reviewed on a case-by-case basis to insure ADA accessibility and an encroachment permit (if located within the City right-of-way).
- J. **Mobile signs** – Staff recommends against the use of mobile signs.
- K. **Location** – Staff recommends that the temporary sign provisions only apply to the Old Town and Downtown districts, the Hwy 49 corridor, and the Nevada Street corridor. Staff recommends limiting the program to these more mainstream commercial areas. The City currently receives resident complaints against businesses in the other, smaller, outlying commercial pockets of town (e.g. Auburn Folsom at Herdal).
- L. **Type of Business** – Staff recommends that the provisions only apply to a commercial business.

The recommendations from this joint review by the HDRC and the Planning Commission will be forwarded to the Auburn City Council for their review and consideration.

Attachments:

- 1. Sign Ordinance (excerpted)

CDD/PC Information/Temporary Sign Standards.PC

(B) Notification of the sign control shall be included in the business license.

(1973 Code, § 9-4.1011) (Ord. 786, eff. 6-8-1983; Am. Ord. 88-3, eff. 5-11-1988) Penalty, see § 159.999

§ 159.196 SIGN TYPES.

(A) *Permitted on premise signs.* The following on-premise signs shall be permitted:

(1) Real property signs conforming to the provisions of § 159.204;

(2) ~~Home-occupation signs;~~

(3) Trade construction signs;

(4) Master shopping center signs;

(5) Minor shopping center signs;

(6) Individual business signs;

(7) Freestanding signs;

(8) Directory signs; and

(9) Identification signs.

(B) *Permitted off-premise signs and regulations.* No off-premise sign shall be constructed unless and until the Commission has issued a use permit therefor, and all off-premise signs shall comply with the following conditions.

(1) No sign shall be permitted unless the applicant can show that the sign is necessary because of unusual access to the commercial business establishment.

(2) No sign shall be erected or maintained on premises used for residential purposes.

(3) No sign shall overhang public property, nor shall it violate the terms of height restrictions.

(4) No sign shall be located within 660 feet of a freeway.

(5) There shall be no more than 1 off-premise sign on any one parcel.

(6) Visual access to an existing sign shall not be blocked or impaired.

(7) All such signs shall comply with the provisions for setbacks in the district located therein.

(8) The maximum size shall be 100 square feet.

(C) *Permitted miscellaneous signs and regulations.* The following miscellaneous signs shall be permitted:

(1) Signs on company vehicles;

(2) Signs which contain banners, balloons, pennants or pinwheels shall be prohibited, except announcements of a public event. Grand openings shall be permitted to have the signs not to exceed 30 days;

(3) "A" frame or sandwich signs for open house purposes shall be permitted by right; however, other sign uses shall be subject to review and approval;

(4) Murals, graphics, awnings, canopies, time and temperature, barber poles, neon, wall and window signs reviewed on an individual basis;

(5) Political signs shall be removed within 15 days after the election; and

(6) Community directional signs.

(D) *Prohibited signs.* The following signs shall be prohibited:

(1) Roof signs;

(2) Signs on trees or vehicle tops;

(3) Signs which rotate, move, flash, blink, or appear to do any of such shall be prohibited unless required by law or utilized by the proper governmental agency; and

(4) Signs on any public property or public right-of-way shall be prohibited unless otherwise authorized by this chapter.
(1973 Code, § 9-4.1013) (Ord. 786, eff. 6-8-1983)

§ 159.197 SIGN LOCATIONS, HEIGHT, SETBACKS AND SIZE.

The regulations shall be applicable for all signs within the city and shall be as set out in Appendix B to this chapter.
(1973 Code, § 9-4.1014) (Ord. 786, eff. 6-8-1983; Am. Ord. 92-5, eff. 5-13-1992)

§ 159.198 SIGN COLORS.

Sign colors shall be compatible with the area to be served and/or the building the sign is to be attached to. Company logos may be considered.
(1973 Code, § 9-4.1015) (Ord. 786, eff. 6-8-1983)

§ 159.199 SIGN AREA.

In computing the maximum permissible sign area or display surface, all signs designed to be seen from off the premises upon which the sign is, or is proposed to be, located shall be included; provided, however, only 1 face of a double face sign shall be included. The structure supporting a sign shall not be included in determining the sign area unless the structure is designed in a way to form an integral background for the display.
(1973 Code, § 9-4.1016) (Ord. 786, eff. 6-8-1983)

§ 159.200 NON-CONFORMING SIGNS.

Except as otherwise provided in this chapter, non-conforming on-premise signs shall be made to

conform to the provisions of this chapter upon the change of the name of any business, the relocation of any business or an application for a sign for any business.

(1973 Code, § 9-4.1017) (Ord. 786, eff. 6-8-1983)

§ 159.201 ABANDONED SIGNS.

No person shall maintain or permit to be maintained on any premises owned or controlled by him or her any sign which pertains to an abandoned business. Any such sign shall promptly be removed by the owner or other person. Any sign which is located on property which becomes vacant and unoccupied for a period of 60 days or more, or any sign which was erected for an occupant or business unrelated to the present occupant or his or her business, or any sign which pertains to a time, event or purpose which no longer applies shall be presumed to have been abandoned.

(1973 Code, § 9-4.1018) (Ord. 786, eff. 6-8-1983)
Penalty, see § 159.999

§ 159.202 TRAFFIC HAZARDS.

The minimum height clearance for any sign shall not be less than 8 feet above the ground where pedestrian traffic may occur underneath the sign nor less than 14 feet above any driveway, alleyway or street designed for vehicular traffic.

(1973 Code, § 9-4.1019) (Ord. 786, eff. 6-8-1983)

§ 159.203 FEES.

Fees shall be charged pursuant to a resolution of the Council.

(1973 Code, § 9-4.1020) (Ord. 786, eff. 6-8-1983)

§ 159.204 REAL PROPERTY SIGNS.

Real property signs shall be placed upon the property only in accordance with the following regulations.

Reg Murray

From: Bruce Cosgrove [Bruce@auburnchamber.net]
 Sent: Monday, March 09, 2009 1:02 PM
 To: Reg Murray
 Cc: Ann Rivero; bill radakovitz
 Subject: RE: Temporary Sign Provisions

Reg,

Thanks for sending this "draft" to me. I believe this is a good program, in these economic times, for the City to be offering local business. Maintaining control by requiring a "temp sign application"

for approval is smart (good business), and waiving any "application fee"

for this temporary sign program sends the message that the City recognizes and appreciates the economic challenges all are currently dealing with.

Have a great week.

Bruce

Bruce L. Cosgrove, CEO
 Auburn Chamber of Commerce
 601 Lincoln Way
 Auburn, CA 95603
 Ph: 530.885.5616 x226
 FAX#: 530.885.5854
 Email: bruce@auburnchamber.net

-----Original Message-----

From: Reg Murray [mailto:rmurray@auburn.ca.gov]
 Sent: Thursday, March 05, 2009 3:48 PM
 To: Bruce Cosgrove
 Cc: Will Wong; Robert Richardson
 Subject: Temporary Sign Provisions

Hello Bruce,

I believe that Will left a message with you earlier today to expect the attached information regarding the temporary sign provisions that the City will be considering in the near future.

Please let me know if you have any questions.

Thank you,

Reg Murray
 Senior Planner
 Auburn Community Development Department
 p: 530-823-4211 ext 140
 f: 530-885-5508
 rmurray@auburn.ca.gov

-----Original Message-----

From: xerox
 Sent: Friday, March 06, 2009 1:14 AM
 To: Reg Murray

RESOLUTION NO. 09-

RESOLUTION PROVIDING THE COMMUNITY DEVELOPMENT DIRECTOR WITH
PROSECUTORIAL DISCRETION RELATING TO TEMPORARY SIGNS

THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn recognizes the difficulties that
local merchants are having in the current economic climate;

That a relaxation of the City's temporary sign standards in select areas of
town will assist local merchants; and

That the City Council of the City of Auburn hereby provides the
Community Development Director with authority to utilize prosecutorial
discretion in the application of the temporary sign requirements of the City of
Auburn, subject to the provisions listed in the attached Exhibits.

DATED: March 23, 2009

J.M. Holmes, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
that the foregoing resolution was duly passed at a regular meeting of the City
of Auburn held on the 23rd day of March, 2009 by the following vote on roll
call:

Ayes:

Noes:

Absent:

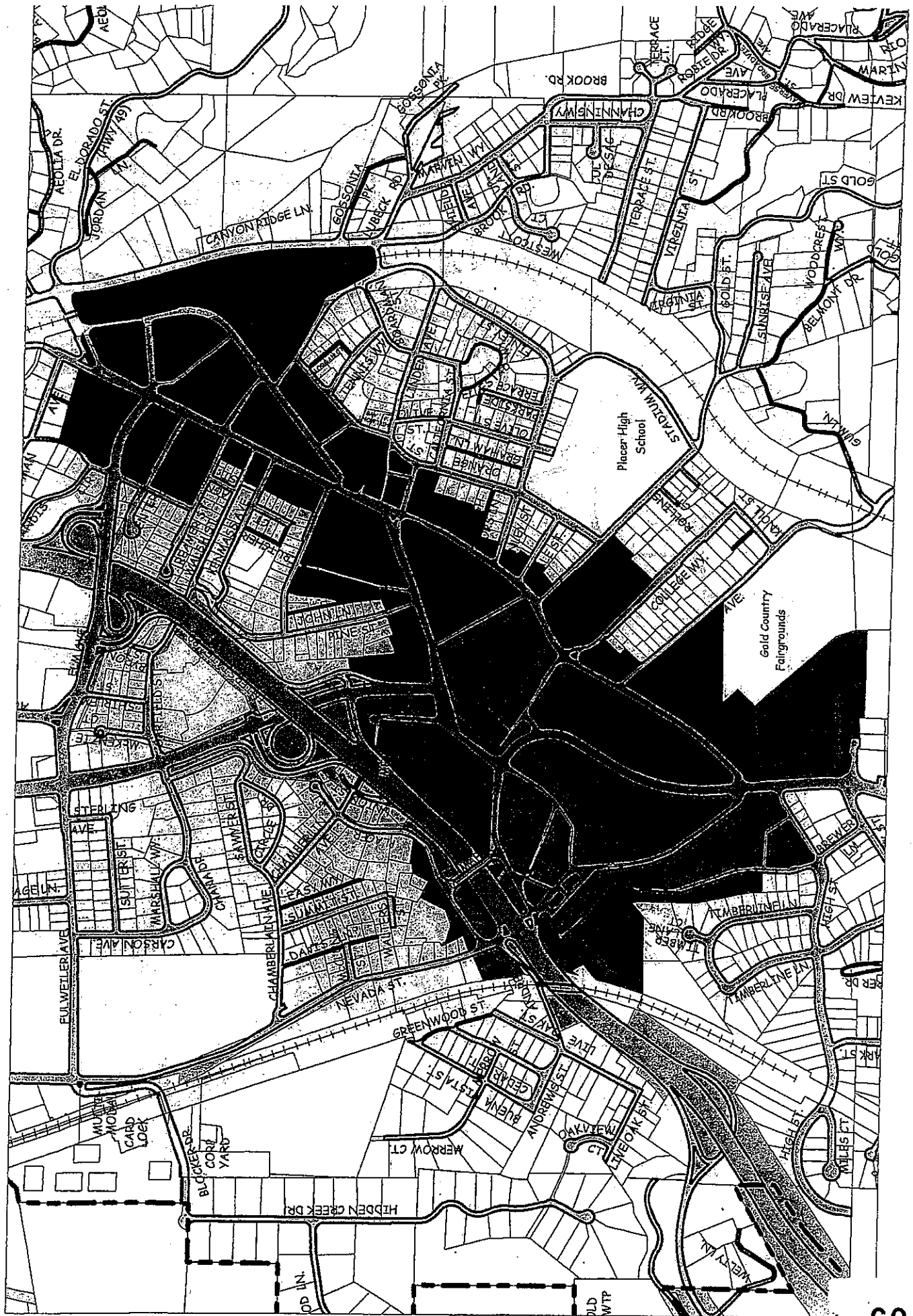
Joseph G. R. Labrie, City Clerk

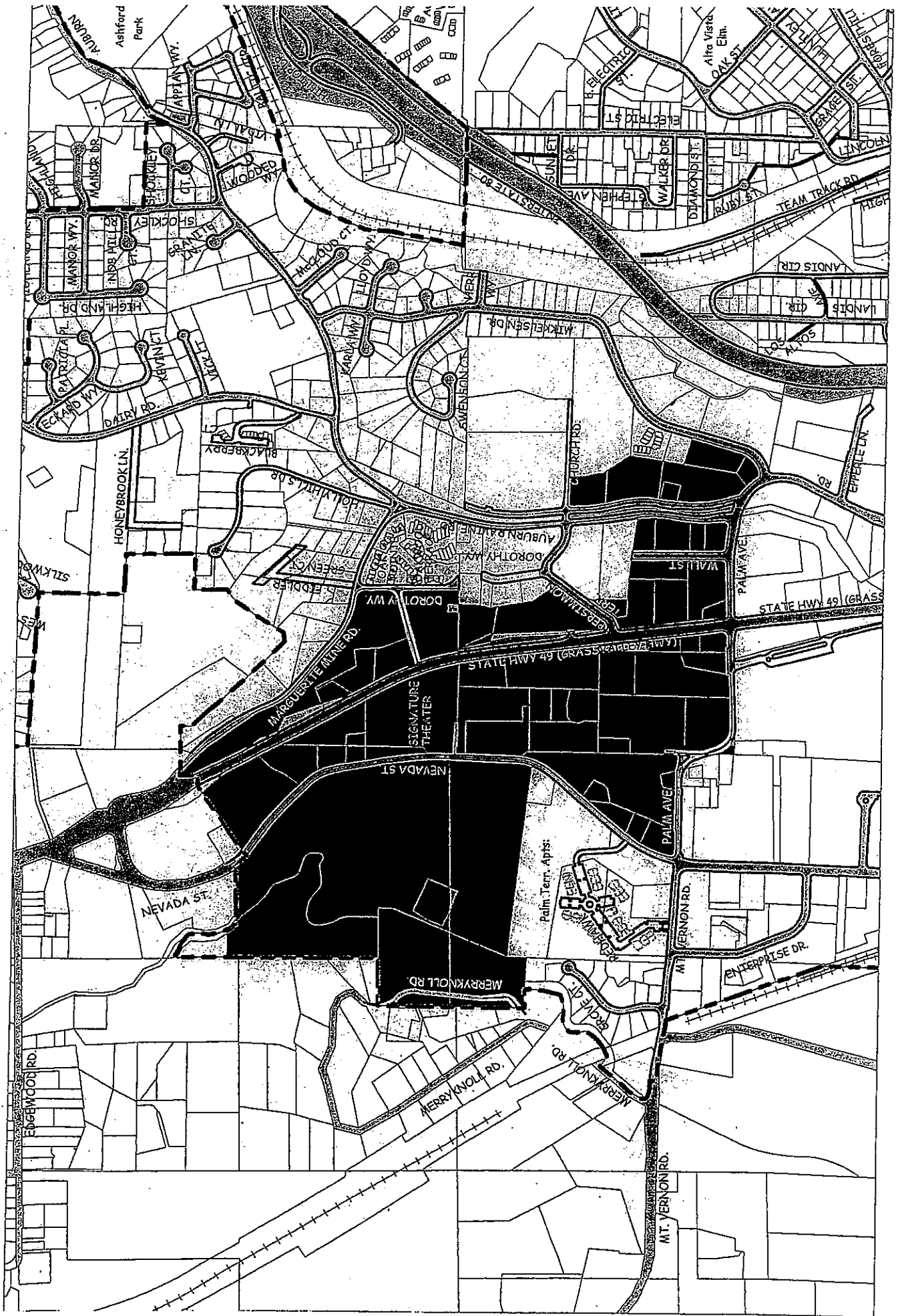
Recommended Temporary Sign Provisions

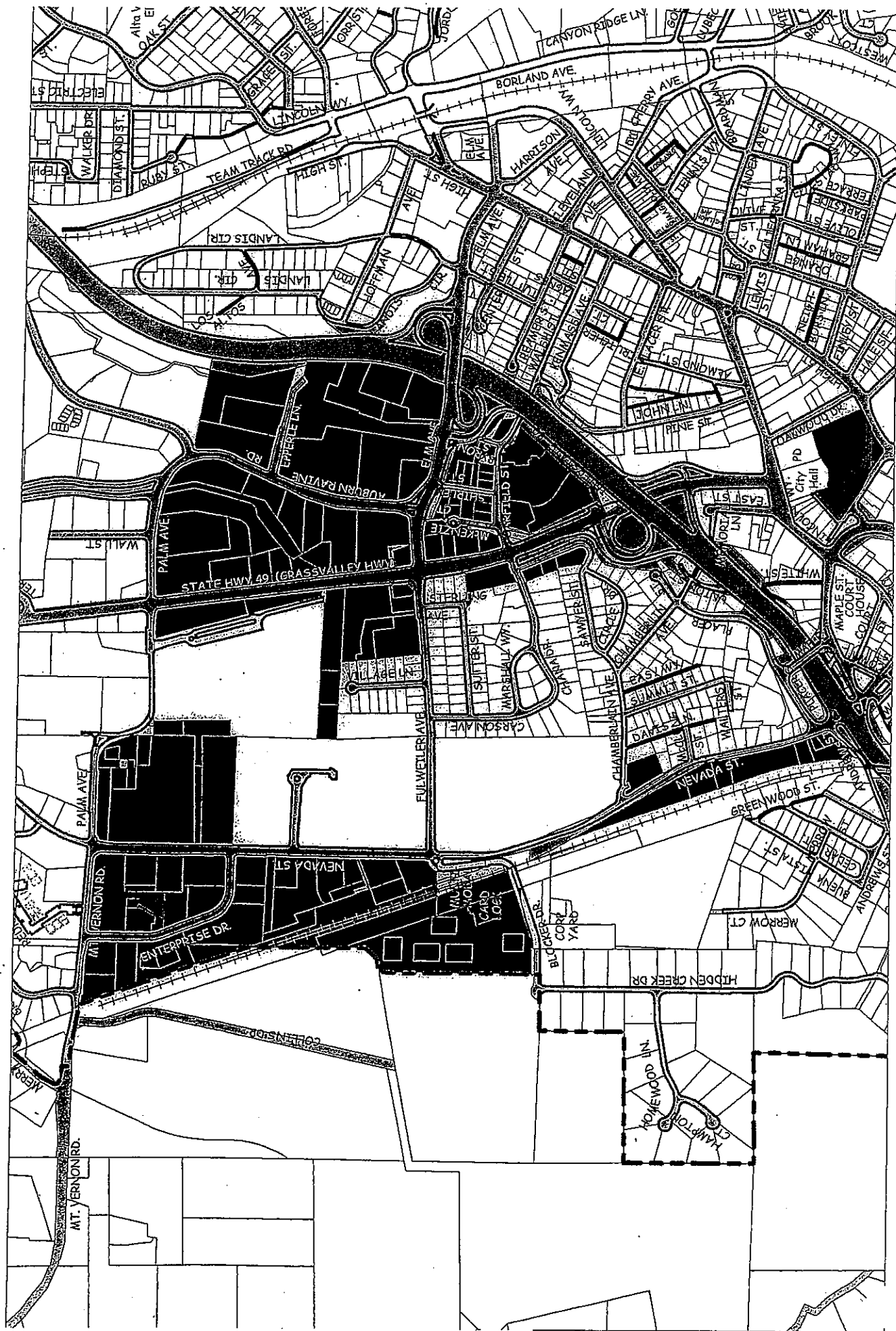
The Community Development Department, Planning Commission, and Historic Design Review Commission recommend the following provisions for temporary signs:

1. The tenant/property owner will be required to submit a temporary sign application to the Community Development Department for review and approval. No application fee will be collected by the City.
2. Each application will be reviewed on a case-by-case basis to determine the appropriateness of the request, including, but not limited to, the location, size, and number of signs.
3. The program allowing for temporary signs will be valid for an initial period of six (6) months following adoption by the Auburn City Council. At the end of the initial period, staff will review the status of the program with the HDRC, the Planning Commission, and City Council to determine if the term of the program should be extended.
4. **Quantity** – The number of signs will be reviewed and approved by staff.
5. **Type** – Staff will review and approve the mix of signs associated with a proposal.
6. **Size** – Staff will review and approve the size of signs associated with a proposal.
7. **Duration** – Staff will review and approve the time frame that temporary signs are allowed to remain in place.
8. **Balloons** – The use of balloons will be limited to the typical “birthday” size balloons (i.e. maximum approximately 14” in diameter). Mylar balloons will be discouraged. The use of large inflatable rooftop balloons, barrage balloons, and moving balloons powered by air blowers will be prohibited.
9. **A-frame signs** – Staff will review and approve A-frame signs on a case-by-case basis to insure ADA accessibility and an encroachment permit (if located within the City right-of-way).
10. **Mobile signs** – The use of mobile signs will be prohibited.
11. **Location** – The temporary sign provisions will only apply to on-site signs located within the Old Town and Downtown districts, the Hwy 49 corridor, and the Nevada Street corridor.
12. **Type of Business** – The temporary sign provisions will only apply to a commercial business.

Old Town and Downtown Historic Districts







7/12/10

CITY COUNCIL MINUTES**March 23, 2009****REGULAR SESSION**

The Regular Session of the Auburn City Council was held in the Council Chambers, City Hall, 1225 Lincoln Way, Auburn, California on Monday, March 23, 2009 at 6:00 p.m. with Mayor J. M. Holmes presiding and City Clerk Joseph G.R. Labrie recording the minutes.

CALL TO ORDER**PLEDGE OF ALLEGIANCE****ROLL CALL:**

Council Members Present: Keith Nesbitt, Kevin Hanley, Bill Kirby, Bridget Powers, J. M. Holmes

Council Members Absent: Hanley not present for roll call; was in attendance for Closed Session and Council meeting.

Staff Members Present: City Manager Robert Richardson, City Attorney Michael Colantuono, Community Development Director Will Wong, Senior Planner Reg Murray, Fire Chief Mark D'Ambrogi, Public Works Director Jack Warren, Engineering Division Manager Bernie Schroeder, Transit Analyst Megan Siren, Administrative Services Director Andy Heath, Administrative Manager Joanna Belanger

By **MOTION** adjourn to a Closed Session under Government Code Section 54957:6 **MOTION: Kirby/Nesbitt/Approved by Voice**

- (1) **CONFERENCE WITH LABOR NEGOTIATORS**
Agency Designated Representatives: Robert Richardson
Employee Group: All Bargaining Units
- (2) **CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION**
G.C. 54956.9(c)

One Case

REPORT OUT OF CLOSED SESSION

Council Members voted to authorize suit against Richard Besse & B & D Plumco for Delgado sewer spill and to authorize the City Manager to execute a retainer

involved are trying to resolve the issue. He said overall the Commission is getting positive reports about the Wave franchise.

Mr. Tonkin provided the Council with an informational sheet explaining the digital transition that will be effective June 12, 2009. He explained that viewers frequently will not be able to view all the channels previously received due to "line of sight" technology. He suggested that possibly the City could post it on the website. Council Member Hanley agreed and thanked Mr. Tonkin for preparing the question and answer sheet.

He said Wave Broadband is expecting to announce a location for the public to be able to pay bills within the City.

All Council Members thanked Mr. Tonkin for his continued contribution to the City.

PUBLIC HEARING

6. Auburn City Fire Department 2009 Strategic Reorganization Plan

Fire Chief Mark D'Ambrogi introduced the item. He presented an overview of the reorganization plan for 2009 that included two revised job descriptions for volunteer firefighter and relief firefighter. He said the objectives of the plan are to: (1) keep the organizational focus on the duties of the fire department (2) maintain high levels of service (3) develop personnel knowledge, skills and abilities and (3) provide for succession planning. He said everything that is being done falls within the fiscal constraints of the allocation for the reorganization.

By **RESOLUTION 09-29** authorize the Fire Chief to implement the Auburn City Fire Department 2009 Strategic Reorganization Plan. **MOTION:**
Nesbitt/Hanley/Approved 5:0

7. Relaxing Temporary Sign Regulations

Senior Planner Reg Murray introduced the item. He explained that the Planning Commission and the Historic Design Review Commission brought the sign issue to the fore while discussing yearly priorities. He said, with consideration to the current economy, they wanted to help local businesses by relaxing some of the sign standards for a period of time. He explained that a program was created by staff and reviewed by the two Commissions. He said it provides the Community Development Director with prosecutorial discretion to temporarily relax enforcement as opposed to permanently revising the ordinance. The applicant will submit a no fee application to Community Development and the sign standards will be reviewed on a case-to-case basis. He said the program will be in effect

for six months. After that time, Council will have the opportunity to review the program and decide whether or not to discontinue it.

Mayor Holmes suggested that there must be a measure by which success of the program could be determined. Community Development Director Wong explained that businesses are struggling and would like to add extra banners or specialty signs. He said that currently those businesses would be out of compliance and cited. He said the City would like a way to help the businesses by allowing additional signage.

Council Member Hanley said that six months did not seem to be a long enough period of time. He said with the current economic situation possibly a year should be allowed for the program. Council Member Powers agreed.

Council Member Kirby stated that he supported a year, but felt there should be a review of the program in six months.

Wayne Manning, Robie Drive, Auburn, spoke as a board member of Auburn Chamber of Commerce. He said the program would be a boost for businesses that need it.

Richard Sanborn, Auburn resident, said that businesses think that more signs will get them more business. He said that he does not like A-frame signs blocking the sidewalk, creating a hazard. He said people could sue the City and the City needs to take responsibility for that possibility. He said it creates difficulties for handicapped individuals.

Thomas Furtauer, Auburn business owner, stated that he favored a longer period than six months for the program.

By **RESOLUTION09-30** direct the Community Development Department to temporarily relax for one year the City of Auburn sign regulations related to temporary signs and report back to Council in six months.

MOTION: Hanley/Powers/Approved 5:0

REPORTS

8. Informational Reports from Committees/Commissions

Telecommunications Commission

Item moved to follow Consent Calendar.

9. Rock Climbing in the Auburn State Recreation Area

Item postponed to April 13, 2009



Downtown Auburn
The Heart of Auburn

AUBURN

**DOWNTOWN BUSINESS
ASSOCIATION**

www.downtownauburnca.com

PO BOX 244

AUBURN, CA 95604

PRESIDENT

JIM BRILL

VICE PRESIDENT

MICHELLE STRANGE

PAST PRESIDENT

HARVEY ROPER

SECRETARY

MARGARETA ASGHARZEDH

TREASURER

RUTH LITTAU

DIRECTORS

GARY CAPPS

TERI GIBSON

CORRINE LEE

CARI THACHUK

SHARON GANNON

DAN TEBBS

City of Auburn

Lance Lowe

Planning Dept.

1225 Lincoln Way

Auburn CA

95603

The Downtown Business Association has discussed the enforcement or continued relaxation of the sign ordinance pertaining to A Frame and Banner signage in the Downtown business District.

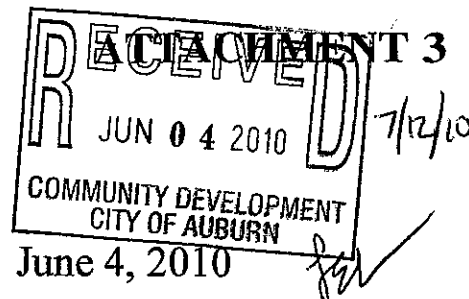
It is request of the Downtown Business Association that we ask you to begin enforcing the ordinance pertaining to the A Frame and Banner signage. (temporary signage)

With your assistance we hope to keep the Downtown area from developing the cluttered look and the enforcement of the ordinances are the same as in the Old Town District.

Thank You,

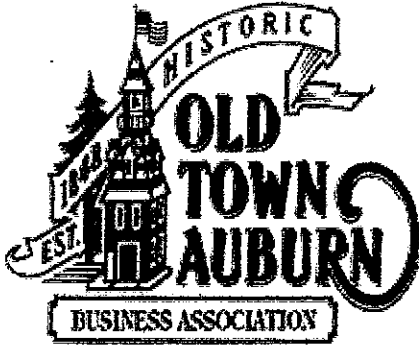
Jim Brill

DBA President



Feb.17, 2010

7/12/10



City Of Auburn Development Department,

Old Town Business Association would like the City of Auburn to start enforcing the temporary sign permit rules in our area.

Thank You,
Kerry Arndt
OTBA President

7/12/10

EXHIBIT



EXHIBIT A

RESOLUTION NO. 10-

**RESOLUTION DISCONTINUING TO PROVIDE
THE COMMUNITY DEVELOPMENT DIRECTOR WITH PROSECUTORIAL
DISCRETION RELATING TO TEMPORARY SIGNS**

THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn has recognized the difficulties that local merchants are having in the current economic climate;

That a relaxation of the City's temporary sign standards in select areas of town has assisted local merchants; and

That the proliferation of illegal temporary signage in Downtown, Old Town and Highway 49 has occurred in the past year and enforcement efforts should be implemented for the removal of such signage.

That the City Council of the City of Auburn hereby discontinues to provide the Community Development Director with authority to utilize prosecutorial discretion in the application of the temporary sign requirements of the City of Auburn.

DATED: July 12, 2010

Bridget Powers, Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City of Auburn held on the 12th day of July, 2010 by the following vote on roll call:

Ayes:

Noes:

Absent:

Joseph G. R. Labrie, City Clerk

EXHIBITS



EXHIBIT A

RESOLUTION NO. 11-

**RESOLUTION PROVIDING THE COMMUNITY DEVELOPMENT DIRECTOR WITH
PROSECUTORIAL DISCRETION RELATING TO TEMPORARY SIGNS AND
REPEALING RESOLUTION NO. 10-88 ADOPTED ON JULY 12, 2010 TO
COMMENCE ENFORCEMENT OF TEMPORARY SIGNAGE**

THE CITY OF AUBURN DOES HEREBY RESOLVE:

That the City Council of the City of Auburn recognizes the difficulties that local merchants are having in the current economic climate;

That a relaxation of the City's temporary sign standards in select areas of town will assist local merchants; and

That the City Council of the City of Auburn hereby provides the Community Development Director with authority to utilize prosecutorial discretion in the application of the temporary sign requirements of the City of Auburn, subject to the provisions listed in the attached Exhibits.

The City Council of the City of Auburn hereby repeals Resolution No. 10-88 adopted on July 12, 2010 to commence enforcement of temporary signage.

DATED: April 11, 2011

William W. Kirby, M.D., Mayor

ATTEST:

Joseph G. R. Labrie, City Clerk

I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify that the foregoing resolution was duly passed at a regular meeting of the City of Auburn held on the 11th day of April, 2011 by the following vote on roll call:

Ayes:

Noes:

Absent:

Joseph G. R. Labrie, City Clerk

Recommended Temporary Sign Provisions

The Community Development Department, Planning Commission, and Historic Design Review Commission recommend the following provisions for temporary signs:

1. The tenant/property owner will be required to submit a temporary sign application to the Community Development Department for review and approval. No application fee will be collected by the City.
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